

ASMC Use Only:

Fee: _____
Bond Required: _____
Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: Job Land & Mineral, Inc.
License Number: L-747 Permit Number: P-3868-01-11-S
Permit Expiration Date: 01-19-11 Mine Name: Powhatan Mine
Revision Number: Revision R-4

Nature of Proposed Revision:

- 1) Transfer 38.0 mining acres from Increment No. 1 to create Increment No. 2, reclamation phase.
- 2) Transfer 1.0 mining acre from Increment No. 3 to Increment No. 4.
- 3) Delete 3.0 mining acres from Increment No. 1 as undisturbed.
- 4) Transfer 2.0 mining acres from Increment No. 5 to Increment No. 6 for coal stockpile.
- 5) Transfer 1.0 mining acre from Increment No. 1 to Increment No. 6 for coal stockpile.
- 6) Modify Primary Roads 1E and 2P.
- 7) Update the Operation Plan.

Attach Detailed estimate of effect of proposed revision on reclamation costs.

Applicant: Job Land & Mineral, Inc.
Mine Name: Powhatan Mine
Permit Number: P-3868 Revision R-4

STATE OF ALABAMA

SURFACE MINING COMMISSION

- (X) Permit Application for a Surface Coal Mine
() Permit Application for an Underground Coal Mine
() Permit Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Job Land & Mineral, Inc.
Street Address: 378 Old Dora Road
City: Sumiton State: AL Zip: 35148
Mailing Address: 378 Old Dora Road
City: Sumiton State: AL Zip: 35148
Telephone Number: (205) 648-8007
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-747

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: _____

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: _____

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: W. P. Griffin, Jr. c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 384-5553

ALSO PLEASE COPY: Alon Ballenger
Job Land & Mineral, Inc.
378 Old Dora Road
Sumiton, AL 35148
Telephone: (205) 648-8007

Applicant: Job Land & Mineral, Inc.
Mine Name: Powhatan Mine
Permit Number: P-3868 Revision R-4

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS: Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Page 1 of 4

Legal description of property or permit map symbol: _____

Parker Towing Company, Inc. (S)

Surface/Mineral/or Fee Simple (both): Surface

Legal owner(s) of record: Parker Towing Company, Inc.

Address: P. O. Box 20908 City: Tuscaloosa State: AL Zip: 35402

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Parker Towing Company, Inc.	Job Land & Mineral, Inc.	08/03/04	No

Applicant: Job Land & Mineral, Inc.
 Mine Name: Powhatan Mine
 Permit Number: P-3868 Revision R-4

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: BASTCO LLC. (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: BASTCO LLC.
 Address: 378 Old Dora Road City: Sumiton State: AL Zip: 35148
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	BASTCO LLC.	Sumiton Coal, Inc.	02/23/06	No
Assignment	BASTCO LLC.	Charles Clay & Eddie Johnson	08/29/11	No
Right of Entry	Charles Clay & Eddie Johnson	Job Land & Mineral, Inc.	10/20/11	No

Legal description of property or permit map symbol: _____
International Paper (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: International Paper C/O BRP, LLC
 Address: P. O. Box 4258 City: Houston State: TX Zip: 77210
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	International Paper c/o BRP, LLC.	Job Land & Mineral, Inc.	09/30/11	No
Right of Entry	RAC Mining, LLC.	Job Land & Mineral, Inc.	10/20/11	No

Applicant: Job Land & Mineral, Inc.
 Mine Name: Powhatan Mine
 Permit Number: P-3868 Revision R-4

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: _____
William R. Parker (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: William R. Parker
 Address: 5188 Crowley Drive City: Birmingham State: AL Zip: 35210
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	William R. Parker	Job Land & Mineral, Inc.	06/24/04	No

Legal description of property or permit map symbol: _____
Sumiton Coal, LLC (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Sumiton Coal, LLC
 Address: 3940 Montclair Road, Suite 401 City: Birmingham State: AL Zip: 35213
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Purchase	West Jefferson Minerals, LLC	Sumiton Coal, LLC	06/26/06	No
Lease	Sumiton Coal, LLC	Job Land & Mineral, Inc.	06/26/06	No

Applicant: Job Land & Mineral, Inc.
 Mine Name: Powhatan Mine
 Permit Number: P-3868 Revision R-4

PART I C 1. (CONTINUED)

Page 4 of 4

Legal description of property or permit map symbol: West Jefferson Mineral, LLP.(M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: West Jefferson Mineral, LLP. : Attention Land Dept.
 Address: P.O. Box 1549 City: Jasper State: AL Zip: 35502
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	West Jefferson Mineral, LLP.	Job Land & Mineral, Inc.	10/17/08	No

Legal description of property or permit map symbol: University of Alabama(M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: University of Alabama
 Address: P.O. Box 870176 City: Tuscaloosa State: AL Zip: 35487
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	University of Alabama	RAC Mining, LLC.	8/24/11	No
Right of Entry	RAC Mining, LLC.	Job Land & Mineral, Inc.	10/20/11	No

Applicant: Job Land & Mineral, Inc.
Mine Name: Powhatan Mine
Permit Number: P-3868 Revision R-4

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS AS NECESSARY IN THE FORMAT BELOW

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Name: Parker Towing Company, Inc.
Address: P. O. Box 20908
City: Tuscaloosa State: AL Zip: 35402
Interest owned (Surface, Coal or Fee Simple): Fee Simple
Type of Interest(Owner, Lease , or Other): Owner

Name: International Paper c/o BRP, LLC.
Address: P. O. Box 4258
City: Houston State: AL Zip: 77210
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: BASTCO LLC.
Address: 378 Old Dora Road
City: Sumiton State: AL Zip: 35148
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: William R. Parker
Address: 5188 Crowley Drive
City: Birmingham State: AL Zip: 35210
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: Sumiton Coal, LLC
Address: 3940 Montclair Road, Suite 401
City: Birmingham State: AL Zip: 35213
Interest owned (Surface, Coal or Fee Simple): Coal
Type of Interest(Owner, Lease , or Other): Owner

Name: West Jefferson Mineral, LLP.
Address: P.O. Box 1549
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: University of Alabama
Address: P.O. Box 870176
City: Tuscaloosa State: AL Zip: 35487
Interest owned (Surface, Coal or Fee Simple): Mineral &
Fee Simple
Type of Interest(Owner, Lease , or Other): Owner

Applicant: Job Land & Mineral, Inc.
Mine Name: Powhatan Mine
Permit Number: P-3868 Revision R-4

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.
SE 1/4 of NW 1/4, SW 1/4 of NW 1/4, NE 1/4 of NW 1/4, NE 1/4 of SW 1/4, NW 1/4 of NE 1/4, NE 1/4 of NE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NW 1/4 of SE 1/4, all located within Section 6, Township 17, South, Range 5 West, Jefferson County, Alabama

3. Give the acreage of the permit, each increment and the type of bonding.

a. Total revision acreage: 3 acres (Deleted)

b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	<u>26</u>	<u>Certificate of Deposit</u>
2.	<u>38</u>	<u>Certificate of Deposit</u>
3.	<u>11</u>	<u>Certificate of Deposit</u>
4.	<u>23</u>	<u>Certificate of Deposit</u>
5.	<u>37</u>	<u>Certificate of Deposit</u>
6.	<u>22</u>	<u>Certificate of Deposit</u>

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increments 4 and 5

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX)YES ()NO

If yes, supply the following for any and all previously disturbed areas:

a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.
SEE PERMIT MAP

b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released. (If no permit, indicate as such.)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Pre-law</u>	<u>53.0</u>	<u>Unreclaimed</u>

c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond(s). Job Land & Mineral, Inc. intends to accept the reclamation responsibility for the areas which they redisturb inside the permit boundary.

5. Is disturbance to be conducted within 300 feet, measured horizontally from an occupied dwelling? ()YES (XX)NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

Applicant: <u>Job Land & Mineral, Inc.</u>
Mine Name: <u>Powhatan Mine</u>
Permit Number: <u>P-3868 Revision R-4</u>

PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated? () YES (XX) NO.
If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or of issuance
<u>MSHA ID</u>	<u>01-03332</u>	<u>MSHA</u>	<u>*</u>	<u>09/13/05</u>
<u>NPDES</u>	<u>AL0077194</u>	<u>ADEM</u>	<u>**</u>	<u>03/01/05</u>

* 135 Gemini Circle, Suite 213, Birmingham, AL 35209

** 1400 Coliseum Blvd., Montgomery, AL 36110-2059

8. Is the property in the permit covered by zoning or other land use restrictions?
(XXX) YES () NO.
If yes, indicate the jurisdictional authority and zoning or land use area. If more than one zoning classification exists for the permit area, identify the boundaries of each the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>I-3-S</u>	<u>Yes</u>
<u>Zoning Board</u>		
<u>Birmingham City</u>	<u>M-4</u>	<u>Yes</u>
<u>Zoning Board</u>		

9. Describe access to the proposed mine from a known point on the nearest public highway:
From the intersection of Interstate 20/59 and Alabama Highway 269 in Birmingham, travel west on Alabama Highway 269 approximately 17.5 miles to the mine entrance on the right. The Permit area will be marked and signs will be posted.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?

() YES (XXX) NO

If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application. See ASMC Master File

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: ASMC website <http://surface-mining.alabama.gov>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: The Birmingham News
See Attachment I-E-13

Applicant: <u>Job Land & Mineral, Inc.</u>
Mine Name: <u>Powhatan Mine</u>
Permit Number: <u>P-3868 Revision R-4</u>

Attachment I.E.13.

PUBLIC NOTICE OF FILING OF PERMIT APPLICATION

In accordance with the provisions of Act No.81-435 of the State of Alabama and the regulations promulgated under this act, Job Land and Mineral, Inc., 378 Old Dora Road, Sumiton, Alabama 35148, hereby gives notice that it has filed an application to revise permit P-3868-01-11-S for its Powhatan Mine located within the SE/NW, SW/NW, NE/NW, NE/SW, NW/NE, NE/NE, SW/NE, SE/NE, NW/SE all located within Section 6, Township 17 South, Range 5 West, Jefferson County, Alabama

The revision, R-4, consists of the following: 1)Transfer 38.0 mining acres from Increment No. 1 to create Increment No. 2, reclamation phase. 2)Transfer 1.0 mining acre from Increment No. 3 to Increment No. 4. 3)Delete 3.0 mining acres from Increment No. 1 as undisturbed. 4)Transfer 2.0 mining acres from Increment No. 5 to Increment No. 6 for coal stockpile. 5)Transfer 1.0 mining acre from Increment No. 1 to Increment No. 6 for coal stockpile. 6)Show correct location of Primary Road 2P. 7)Update the Operation Plan.

A copy of the permit application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.